

BOTTINI & BOTTINI, INC.
Francis A. Bottini, Jr. (SBN 175783)
fbottini@bottinilaw.com
Yury A. Kolesnikov (SBN 271173)
ykolesnikov@bottinilaw.com
7817 Ivanhoe Avenue, Suite 102
La Jolla, California 92037
Telephone: (858) 914-2001
Facsimile: (858) 914-2002

Counsel for Plaintiff Marc Hagan

[Additional counsel listed on the signature page.]

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
WESTERN DIVISION**

MARC HAGAN, derivatively on behalf
of OSI SYSTEMS, INC.,

Plaintiff,

vs.

DEEPAK CHOPRA, WILLIAM F.
BALLHAUS, JR., DAVID FEINBERG,
STEVEN C. GOOD, MEYER LUSKIN,
and AJAY MEHRA,

Defendants,

- and -

OSI SYSTEMS, INC., a Delaware
corporation,

Nominal Defendant.)

Case No. 2:14-cv-02910 MWF (VBKx)

**Plaintiffs' Notice of Unopposed
Motion and Unopposed Motion for
Consolidation and Appointment of
Leadership Structure**

Date: March 2, 2015
Time: 10:00 a.m.
Judge: Hon. Michael W. Fitzgerald
Courtroom: 1600, 16th Floor

[Caption Continued on Following Page]

1 CITY OF IRVING SUPPLEMENTAL)
2 BENEFIT PLAN, derivatively on behalf)
3 of OSI SYSTEMS, INC.,)
4)
5)
6)
7)
8)
9)
10)
11)
12)
13)
14)
15)
16)
17)
18)
19)
20)
21)
22)
23)
24)
25)
26)
27)
28)

Plaintiff,

vs.

DEEPAK CHOPRA, AJAY MEHRA,
WILLIAM F. BALLHAUS, DAVID T.
FEINBERG, STEVEN C. GOOD, and
MEYER LUSKIN,

Defendants,

- and -

OSI SYSTEMS, INC.,

Nominal Defendant.)

Case No. 2:14-cv-09869 MWF (VBKx)

1 TO THE COURT, ALL PARTIES, AND THEIR COUNSEL OF RECORD:

2 PLEASE TAKE NOTICE that, under Federal Rule of Civil Procedure 42(a),
3 Plaintiffs Marc Hagan (“Hagan”) and the City of Irving Supplemental Benefit Plan
4 (the “City of Irving”) (collectively, “Plaintiffs”) seek consolidation of two related
5 shareholder derivative actions pending before this Court and appointment of a
6 leadership structure. Plaintiffs will move this Court, before the Honorable Michael
7 W. Fitzgerald, in Courtroom 1600, Sixteenth Floor of the United States District
8 Court, Central District of California, Western Division, located at 312 North Spring
9 Street, Los Angeles, California, 90012-4701 on March 2, 2015, at 10:00 a.m., for an
10 order:

- 11 • consolidating two related shareholder derivative actions filed on behalf of
- 12 OSI Systems, Inc.;
- 13 • appointing Hagan and the City of Irving as Co-Lead Plaintiffs;
- 14 • appointing Bottini & Bottini, Inc., The Shuman Law Firm, and Scott+Scott,
- 15 Attorneys at Law, LLP as Co-Lead Counsel; and
- 16 • granting such other and further relief as the Court deems just and proper.

17 The motion is based upon this notice of motion and motion, the accompanying
18 memorandum of points and authorities, the Declaration of Yury A. Kolesnikov,
19 together with exhibits, and all other papers and proceedings in this action.

20 This motion is made following conferences with Anita Wu, Esq., counsel for
21 nominal defendant OSI Systems, Inc. and the Individual Defendants in this action,
22 pursuant to Local Rule 7-3, which took place on January 23, 2015, and January 26,
23 2015. Ms. Wu indicated that Defendants do not oppose the relief requested in this
24 motion.

25 ///

26 ///

27 ///

28 ///

1 Dated: January 30, 2015

Respectfully submitted,

2 BOTTINI & BOTTINI, INC.

3 Francis A. Bottini, Jr. (SBN 175783)

4 Yury A. Kolesnikov (SBN 271173)

5 /s/ Francis A. Bottini, Jr.

Francis A. Bottini, Jr.

6 7817 Ivanhoe Avenue, Suite 102

7 La Jolla, California 92037

8 Telephone: (858) 914-2001

9 Facsimile: (858) 914-2002

10 THE SHUMAN LAW FIRM

11 Kip B. Shuman (SBN 145842)

12 Rusty E. Glenn

885 Arapahoe Avenue

13 Boulder, Colorado 80302

14 Telephone: (303) 861-3003

15 Facsimile: (303) 484-4886

16 E-mail: kip@shumanlawfirm.com

rusty@shumanlawfirm.com

17 *Counsel for Plaintiff Marc Hagan*

18 Dated: January 30, 2015

SCOTT+SCOTT, ATTORNEYS AT LAW, LLP

19 Walter W. Noss (SBN 277580)

20 John T. Jasnoch (SBN 281605)

21 /s/ John T. Jasnoch

John T. Jasnoch

22 4771 Cromwell Avenue

23 Los Angeles, California 90027

24 Telephone: (213) 985-1274

25 Facsimile: (213) 985-1278

26 E-mail: wnoss@scott-scott.com

jjasnoch@scott-scott.com

1 Judith Scolnick
2 Thomas Laughlin
3 SCOTT+SCOTT, ATTORNEYS AT LAW, LLP
4 The Chrysler Building
5 405 Lexington Avenue, 40th Floor
6 New York, New York 10174
7 Telephone: (212) 223-6444
8 Facsimile: (212) 223-6334
9 E-Mail: jscolnick@scott-scott.com
10 tlaughlin@scott-scott.com

11 *Counsel for Plaintiff City of Irving Supplemental*
12 *Benefit Plan*

13 Signature Attestation

14 I certify that I obtained concurrence in the filing of this document from all
15 parties whose electronic signatures appear above.

16 _____/s/ Francis A. Bottini, Jr.

17 Francis A. Bottini, Jr.
18
19
20
21
22
23
24
25
26
27
28